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June 1, 2020

VIA ECF

The Hon. Gregory H. Woods  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

RE: U.S. v Otoniel Rosario Burgos; 1:19-cr-306-(GHW)  
Request to Modify Pre-Trial Release Conditions

Dear Judge Woods,

I write to respectfully submit a second request to modify Mr. Rosario-Burgos' pre-trial release conditions and provide support for this request. Currently, Mr. Rosario-Burgos is on home detention with electronic monitoring and is scheduled for a sentencing hearing on June 26, 2020. We request that home detention with electronic monitoring be removed and Mr. Rosario-Burgos be placed on regular pre-trial supervision. Mr. Rosario-Burgos is a full-time employee at Guardian Booth. He was granted curfew hours from 7:00 am – 8:00 pm to assist him with his medical condition. Mr. Rosario-Burgos is not a danger to the community. He has been compliant with pre-trial and pre-sentence appointments. Mr. Rosario-Burgos has used this year to think about his mistakes which he attributes to making him a better person and expresses deep remorse for his actions. He is thankful and fortunate to have the support of family members as he works hard to be a solid law-abiding member of his community.

Importantly, while Mr. Burgos is employed, lifting his electronic monitoring condition would give him additional flexibility to find more higher paying jobs. Mr. Burgos' will endeavor to find a better job and will coordinate with pretrial as required.

AUSA Cecilia Vogel consents to this request.

Thank you for your consideration. If you need any further information, please do not hesitate to contact me.

Sincerely,

Application denied. The Court appreciates Mr. Rosario-Burgos' self-reflection, and the benefits that he would obtain from additional flexibility. But the proffered facts here are insufficient to justify a modification of the terms of his pre-trial release. As the Court noted in its prior endorsement, there is inadequate information regarding changed circumstances that would justify the proposed substantial change in Mr. Rosario-Burgos' release conditions.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 83.

SO ORDERED  
June 1, 2020

Bradley L. Henry

  
GREGORY H. WOODS  
United States District Judge